

and forfeiture, it was ordered by the court that the product be delivered to the said claimant upon the execution of bonds in the aggregate sum of \$15,875, in conformity with section 10 of the act, conditioned in part that it be re-shipped to the factory of the claimant at Portland, Oreg., to be reexamined and reconditioned under the supervision of this department, the bad portion destroyed and the good portion released to the claimant. It was further ordered by the court that, in the event the reconditioning did not result in the complete elimination of the objectionable salmon, the entire lot be destroyed.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11628. Adulteration of walnut meats. U. S. v. 2½ Cases of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17218. I. S. No. 8161-v. S. No. W-1301.)

On February 9, 1923, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ cases of walnut meats, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Max Part, Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about November 29, 1922, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On March 19, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11629. Adulteration of walnut meats. U. S. v. 4 Cases of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17219. I. S. No. 8162-v. S. No. W-1304.)

On February 9, 1923, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 4 cases of walnut meats, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Sanitary Nut Shelling Co., Los Angeles, Calif., alleging that the article had been shipped on or about December 29, 1922, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On April 30, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11630. Misbranding of oil. U. S. v. 3 Cases, et al., of Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15012. I. S. Nos. 6622-t, 6623-t. S. No. E-3377.)

On June 17, 1921, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 cases, each containing gallon cans, and ½ case, containing half-gallon cans, of oil, remaining unsold in the original unbroken packages at Paterson, N. J., alleging that the article had been shipped by Abraham Gash, New York, N. Y., on or about May 19, 1921, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "Extra Oil Quality * * * The Italian Cook Brand * * * Net Contents 1 Gall." (or "Net Contents ½ Gall.").

Misbranding of the article was alleged in the libel for the reason that the statements, to wit, "Net Contents 1 Gall." and "Net Contents ½ Gall.," borne on the respective-sized cans containing the said article, regarding the net quantity of the article contained therein, were false and misleading and deceived and misled the purchaser, since the said cans contained less than one gallon net and one-half gallon net, respectively. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.